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JUN 30 2004

PAM L. DANIELS
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SNOHOMISH CO. WASH

**STATE OF WASHINGTON
SNOHOMISH COUNTY SUPERIOR COURT**

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY,

Plaintiff,

v.

HOUSING AUTHORITY OF THE
CITY OF EVERETT,

Defendant.

NO. **04 2 10919 0**

DECLARATION OF TIM NORD

I, TIM NORD, declare as follows:

1. I am over twenty-one years of age and am competent to testify herein. The facts set forth in this declaration are from my personal knowledge.

2. I am employed as a Section Manager at the Washington State Department of Ecology, Headquarters, Toxics Cleanup Program. I am the designated management lead and am knowledgeable on matters relating to the Everett Smelter Site, which is generally located in northeast Everett, Washington.

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DECLARATION OF TIM NORD

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ATTORNEY GENERAL OF WASHINGTON
Ecology Division
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3. On behalf of Ecology and the Attorney General's Office, I took part in the negotiations which led to the Prospective Purchaser Consent Decree that is being presented to the Court.

4. The Consent Decree was the subject of public notice and comment as required by RCW 70.105D.040(4)(a). A public hearing was held on April 27, 2004, in Everett, Washington.

5. Ecology received comments during the public comment period, which Ecology has reviewed and considered.

6. Ecology has determined that no additional public comment period under WAC 173-340-600 is required.

7. Ecology has determined that the proposed settlement will yield substantial new resources to facilitate cleanup, will lead to a more expeditious cleanup of hazardous substances in compliance with cleanup standards under RCW 70.105D.030(2)(e) and Chapter 173-340 WAC, and that based upon available information, the proposed redevelopment or reuse is not likely to contribute to the existing releases or threatened releases, interfere with remedial actions that may be needed on the Site, or increase health risks to persons at or in the vicinity of the Site.

I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

RESPECTFULLY SUBMITTED this 3rd day of June, 2004.

TIM NORD